IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 964 of 2004

For Approval and Signature:

HONOURABLE MR.JUSTICE P.B.MAJMUDAR

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1 Whether Reporters of Local Papers may be allowed to see the judgment ? NO

2 To be referred to the Reporter or not ?NO

3 Whether their Lordships wish to see the fair copy of the judgment ?NO

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?NO

5 Whether it is to be circulated to the civil judge ?NO

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VIJAYBHAI NATVARLAL THAKKAR & 33 - Applicant(s)

Versus

THE STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

MR RS SANJANWALA for Applicant(s) : 1 - 34.
MR PD BHATE APP for Respondent(s) : 1,
None for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE P.B.MAJMUDAR

Date : 16/11/2005

ORAL JUDGMENT

1. By filing this petition the petitioners have prayed that an FIR bearing C.R. No.3221 of 2004 registered Vatva Police Station be quashed and set aside as looking to the complaint the only role attributed to the

petitioners is that they were playing "Tin Patti" and "Rami" and not any gambling game.

2. During the pendency of this petition, police has completed the investigation as pointed out by advocates of both the sides. Learned APP Mrs. M.L.Shah has pointed out that charge sheet is filed. In that view of the matter, this petition has become infructuous as the same is filed for quashing FIR. However, it would be open to the petitioners to file appropriate proceedings for quashing the proceedings or to take appropriate steps available under the law. In view of the aforesaid observations, learned advocate Mr. Sanjanwala wants permission to withdraw this petition with a liberty to file appropriate proceedings in accordance with the law. Permission is granted as prayed for. The petition stands disposed of as withdrawn. Rule discharged.

(P.B.MAJMUDAR, J.)

*mithabhai